

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 24, 2007**

**DIVISION ONE**

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), Willhite, Jr., J. (Assigned) and P. Gonzalez, Deputy Clerk.

B189249      The People  
                 v.  
                 American Funds Distributors, Inc., et al.

Merits:  
Argued by Mark J. Breckler, Deputy Attorney General for appellant and by  
Raoul D. Kennedy for respondents. Cause submitted.

Willhite, Jr., J. (Assigned) leaves the bench.

Jackson, J. (Assigned) assumes the bench.

B185971      General Facilities, Inc.  
                 v.  
                 Claude E. Atkins Enterprises, Inc.

Merits:  
Argued by Kerri Melucci for respondent. Appearance waived by Marshall  
Rosenbach for appellant. Cause submitted.

DIVISION ONE (Continued)

B190705      1031 South Wooster, Ltd.

v.

Community Redevelopment Agency of the City of Los Angeles

Merits:

Argued by Dave Lenny for appellant and by John Carvalho for respondent.  
Cause submitted.

Rothschild, J., assumes the bench.

B181036      Valerie Schultz

v.

Manfred Schultz

Merits:

Argued by Brian G. Saylin for appellant and by Mike Kretzmer for  
respondent. Cause submitted.

B188271      Percy Dezoysa

v.

Los Angeles County Metropolitan Transit Authority

Merits:

Argued by Mary E. Reyna for respondent. No appearance for appellant.  
Cause submitted.

B179540      Oscar Humphrey

v.

Home Depot U.S.A., Inc.

Merits:

Argued by Stanley H. Rozanski for appellant and by Douglas J. Collodel  
for respondent. Cause submitted.

DIVISION ONE (Continued)

Vogel, J., leaves the bench.

B188023      Simi-Moorpark Freeway Properties Ltd., et al.  
v.  
Cypress Land Company et al.

Merits:

Argued by Mark J. Neubauer for appellants and by Fred A. Fenster for respondents. Cause submitted.

B186385      Simi-Moorpark Freeway Properties Ltd., et al.  
v.  
Cypress Land Company et al.

Merits:

Argued by Mark A. Neubauer for appellants and by Fred A. Fenster for respondent. Cause submitted.

Vogel, J., assumes the bench.

Jackson, J. (Assigned), leaves the bench.

B189885      Richard Young  
v.  
Kathy Jayne McCoy, as Trustee, etc.;  
The First Church of Christ

Merits:

Argued by Paul A. Lenz for appellant; by Mary-Felicia Apanius for Respondent, Trustee and by Henry H. Dearing for Respondent The First Church. Cause submitted.

DIVISION ONE (Continued)

B183539     Janet Foster  
                 v.  
                 Laura Scott et al.

Merits:  
Argued by Michael Lyons for appellant and by Drew A. Cicconi for respondents. Cause submitted.

Court in recess.

Court reconvenes at 11:02 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), Rothschild, J., and P. Gonzalez, Deputy Clerk.

B190489     Latoya Rankins  
                 v.  
                 Verizon Communications, Inc.

Merits:  
Argued by Allan B. Newman for appellant and by Michael G. McGuinness for respondent. Cause submitted.

Jackson, J. (Assigned), assumes the bench.

Rothschild, J., leaves the bench.

B184040     Denise Bowen  
                 v.  
                 The City of Pasadena, et al.

Merits:  
Argued by Morris S. Getzels for appellant and by Hugh Halford for respondent. Cause submitted.

Court adjourned.

DIVISION ONE (Continued)

B188451     Daleane 2, LLC, et al.  
                 v.  
                 Paul Roman et al.

Filed order denying petition for rehearing.

B189472     Shawn Lenske  
                 v.  
                 City of Los Angeles et al.

Filed order denying petition for rehearing.

DIVISION TWO

B184902     Financial Pacific Insurance Company     (Not for Publication)  
                 v.  
                 Zenith Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Ashmann-Gerst, J.

We concur:   Doi Todd, Acting P.J.  
                 Chavez, J.

B189810     Keith Moore et al.                     (Not for Publication)  
                 v.  
                 Hudson Insurance Company

The judgment is reversed. Appellant(s) to recover costs.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                 Doi Todd, J.

DIVISION TWO (Continued)

B182538      Amir Shokrian      (Not for Publication)

v.

Bellagio Hotel & Casinos

The judgment in favor of Bellagio is reversed. We deem the trial court to have granted summary adjudication of the ninth cause of action, and affirm the ruling in that respect. The parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur:    Doi Todd, Acting P.J.  
                  Chavez, J.

B190629      People      (Not for Publication)

v.

Vincent C.

The judgment is affirmed but remanded for the juvenile court to exercise its discretion pursuant to Welfare and Institutions Code section 702 and, if necessary, recalculate the period of confinement.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
                  Doi Todd, J.

B190814      Los Angeles County, D.C.S.      (Not for Publication)

v.

Juan D. et al

The juvenile court's order is affirmed.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
                  Chavez, J.

## DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.  
Chavez, J.

[illegible]

The judgment against Patrick is reversed and the matter is remanded to trial court for retrial.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.  
Chavez, J.

B185943      People      (Not for Publication)  
v.  
Christopher Daniel E.

The orders under review are affirmed.

Chavez, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

DIVISION THREE

B188853      People      (Not for Publication)

v.

Michael Torres Garcia

The abstract of judgment is corrected to reflect that sentence imposed on Count 2 and the accompanying enhancement is stayed under section 654. The Clerk of the Superior Court is directed to correct the abstract of judgment and to forward it to the Department of Corrections. The judgment is otherwise affirmed as modified.

Aldrich, J.

We concur:   Klein, P.J.  
                  Kitching, J.

B190394      Los Angeles County, D.C.S.      (Not for Publication)

v.

Valerie W.

The judgment is affirmed.

Kitching, J.

We concur:   Klein, P.J.  
                  Aldrich, J.

B190242      People      (Not for Publication)

v.

Miguel Angel Piola

The appeal is dismissed

Klein, P.J.

We concur:   Croskey, J.  
                  Kitching, J.



### DIVISION THREE (Continued)

B184493 People (Not for Publication)

V.

Adrian Gudino &amp; Lisa Michelle Pineda

As to Gudino, the judgment is affirmed. As to Pineda, the judgment is reversed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION FOUR

B188003 Raftari (Not for Publication)

V.

Jafari

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

B191550      Morgan

V.

Daniel

Filed order denying petition for rehearing.

## DIVISION FIVE

B183315 People (Not for Publication)

V.

Michael Foster

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.

Kriegler, J.

## DIVISION SEVEN

B185779 Skolnik (Not for Publication)

V.

Kreiss Enterprises, Inc., et al.,

The judgment and order are affirmed. Address Boutique and Kreiss are entitled to their costs on appeal.

Woods, J.

We concur: Perluss, P.J.

Johnson, J.

DIVISION SEVEN (Continued)

B183340      Chaffee      (Not for Publication)

v.

Sprint/United Management Company

The judgment is reversed and this matter is remanded to the trial court for further proceedings consistent with the views expressed in this opinion. Appellant is entitled to her costs on appeal.

Woods, J.

We concur:   Johnson, Acting P.J.  
                    Zelon, J.

DIVISION EIGHT

B188806      Los Angeles County, D.C.S.      (Not for Publication)

v.

Tulip W.,

For the reasons set forth above, the orders of the dependency court under section 300, subdivision (d) are affirmed as far as taking jurisdiction over J.J. is concerned. It is reversed as to L.J. and L.W. only as to section 300, subdivision (a). That portion of the order requiring appellant to take sexual abuse awareness counseling is also affirmed.

Rubin, J.

We concur:   Cooper, P.J.  
                    Boland, J.

January 24, 2007 (Continued)

## DIVISION EIGHT (Continued)

B188308 People (Not for Publication)

V.

Fonseca

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.  
Boland, J.